

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

The above captioned case was filed on January 26, 2007. Summons was issued on February 21, 2007. On February 4, 2008, the Court notified the plaintiff that no proof of service of process or waiver of service had been filed in this case as to Defendant Yellow Transportation Inc., as required by Rule 4(m) of the Federal Rules of Civil Procedure, and warned that if proof of service of process or waiver of service was not filed within 20 days, it could result in the dismissal of this action for lack of prosecution. (Doc. No. 5).

It is now May 5, 2008, and the plaintiff has not filed proof of service of process or waiver of service. Accordingly, **IT IS HEREBY ORDERED** that the plaintiff's case **BE DISMISSED** pursuant to Fed. R. Civ. Pro. 4(m).

Signed: May 5, 2008

Robert J. Conrad Jr.

